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U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT

Docket Number:
11443/160

Application Number
10/785,672

Filing Date
February 23, 2004

Examiner
To Be Assigned

Art Unit
3732

Invention Title
SURGICAL CUTTING AND STAPLING DEVICE

Inventor(s)
Michael P. Whitman et al.

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

Date: May 11, 2005

Signature: [Signature]

- I. In accordance with the duty of disclosure under 37 C.F.R. § 1.56 and in conformance with the procedures of 37 C.F.R. §§ 1.97 and 1.98 and M.P.E.P. § 609, attorneys for Applicant hereby bring the following references to the attention of the Examiner. The references are listed on the attached modified PTO Form No. 1449. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom. The filing of this Information Disclosure Statement and the enclosed PTO Form No. 1449, shall not be construed as an admission that the information cited is prior art, or is considered to be material to patentability as defined in 37 C.F.R. 1.56(b).
- II. Copies of each U.S. patent and publication listed on the modified PTO Form No. 1449 are not enclosed since the present application was filed after June 30, 2003. Copies of the foreign patent applications and other information listed on the modified PTO Form No. 1449 are enclosed.
- III. It is believed that no fees are due in connection with this Information Disclosure Statement. However, should any fees be due, the Commissioner is authorized to charge Deposit Account No. 11-0600 for such fees. A duplicate copy of this communication is enclosed for charging purposes.

Dated: May 11, 2005

By: [Signature]

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**SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT
BY APPLICANT**

ATTY. DOCKET NO.
11443/160

SERIAL NO.
10/785,672

APPLICANT
Whitman et al.

FILING DATE
February 23, 2004

GROUP
3732

U. S. PATENT DOCUMENTS

EXAM. INITIAL	PATENT/ PUBLICATION NUMBER	NAME	PATENT/ PUBLICATION DATE	CLASS	SUBCLASS	FILING DATE*
	1,798,902	E. M. Raney	March 31, 1931			
	2,031,682	R. H. Wappler et al.	February 25, 1936			
	2,174,219	A. Balma	September 26, 1939			
	2,246,647	R. Vancura	June 24, 1941			
	2,419,045	C. C. Whittaker	April 15, 1947			
	2,725,628	W. J. O'Neilly et al.	December 6, 1955			
	3,120,845	D. B. Horner	February 11, 1964			
	3,193,165	M.G. Akhalaya, et al.	July 6, 1965			
	3,193,165	M.G. Akhalaya, et al.	July 6, 1965			
	3,252,643	A. A. Strekopytov et al.	May 24, 1966			
	3,253,643	A.R. Gudheim	May 31, 1966			
	3,275,211	L.C. Hirsch et al.	September 27, 1966			
	3,315,863	T.M. O'Dea	April 25, 1967			
	3,317,105	G.V. Astafiev, et al.	May 2, 1967			
	3,388,847	V.S. Kasulin, et al.	June 18, 1968			
	3,490,576	A.J. Alessi, et al.	January 20, 1970			
	3,490,675	D.T. Green, et al.	January 20, 1970			
	3,494,533	D.T. Green, et al.	February 10, 1970			
	3,499,591	D. T. Green	March 10, 1970			
	3,499,591	D.T. Green	March 10, 1970			
	3,552,626	G.V. Astafiev, et al.	January 5, 1971			
	3,589,589	E.M. Akopov	June 29, 1971			
	3,593,903	Astafiev et al.	July 12, 1968			
	3,593,903	G.V. Astafiev, et al.	July 20, 1970			
	3,638,652	J.L. Kelley	February 1, 1972			
	3,643,851	D. T. Green	February 22, 1972			
	3,662,939	G.W. Bryan	May 16, 1972			
	3,675,688	Bryan et al.	July 11, 1972			
	3,692,224	G.V. Astafiev, et al	September 19, 1972			
	3,717,294	D. T. Green	February 20, 1973			
	3,735,762	Bryan et al.	May 29, 1973			

EXAM. INITIAL	PATENT/ PUBLICATION NUMBER	NAME	PATENT/ PUBLICATION DATE	CLASS	SUBCLASS	FILING DATE
	3,777,538	Weatherly et al.	December 11, 1973			
	3,788,303	Hall	January 29, 1974			
	3,795,034	A.A. Strekopytov, et al.	March 5, 1974			
	3,815,476	D.T. Green, et al.	June 11, 1974			
	3,819,100	Noiles et al.	June 25, 1974			
	3,837,555	Green	September 24, 1974			
	3,844,289	Noiles et al.	October 29, 1974			
	3,882,854	Hulka et al.	May 13, 1975			
	3,892,228	Mitsui	July 1, 1975			
	3,935,981	Akopov, et al.	February 3, 1976			
	3,945,375	Banko	March 23, 1976			
	3,949,924	Green	April 13, 1976			
	3,990,453	Douvas, et al.	November 9, 1976			
	4,014,492	Rothfuss	March 29, 1977			
	4,027,510	Hiltebrandt	June 7, 1977			
	4,060,089	Noiles	November 29, 1977			
	4,064,881	Meredith	December 27, 1977			
	4,086,926	Green et al.	May 2, 1978			
	4,092,986	Schneiderman	June 6, 1978			
	4,111,206	Vishnevsky, et al.	September 5, 1978			
	4,169,476	Hiltebrandt	October 2, 1979			
	4,198,982	Fortner, et al.	April 22, 1980			
	4,202,479	Razgulov, et al.	May 13, 1980			
	4,202,480	Annett	May 13, 1980			
	4,207,873	Kruiy	June 17, 1980			
	4,207,898	Becht	June 17, 1980			
	4,244,372	Kapitanov, et al.	January 13, 1981			
	4,261,244	Becht, et al.	April 14, 1981			
	4,273,129	Boebel	June 16, 1981			
	4,296,881	Lee	October 27, 1981			
	4,304,236	Conta et al.	December 8, 1991			
	4,319,576	Rothfuss	March 16, 1982			
	4,325,377	Boebel	April 20, 1982			
	4,349,028	Green	September 14, 1982			
	4,354,628	Green	October 19, 1982			
	4,383,634	Green	May 17, 1983			
	4,383,634	Green	May 17, 1983			
	4,391,401	Moshofsky	July 5, 1983			
	4,402,445	Green	September 6, 1983			

EXAM. INITIAL	PATENT/ PUBLICATION NUMBER	NAME	PATENT/ PUBLICATION DATE	CLASS	SUBCLASS	FILING DATE
	4,423,730	Gabbay	January 3, 1984			
	4,461,305	Cibley	July 24, 1984			
	4,473,077	Noiles, et al.	September 25, 1984			
	4,489,875	Crawford, et al.	December 25, 1984			
	4,506,670	Crossley	March 26, 1985			
	4,506,671	Green	March 26, 1985			
	4,513,746	Aranyi, et al.	April 30, 1985			
	4,519,532	Foslien	May 28, 1985			
	4,527,724	Kapitanov, et al.	January 13, 1981			
	4,534,352	Korthoff	August 13, 1985			
	4,566,620	Green et al.	January 28, 1986			
	4,573,622	Green et al.	March 4, 1986			
	4,589,416	Green	May 20, 1986			
	4,589,582	Bilotti	May 20, 1986			
	4,591,085	Di Giovanni	May 27, 1986			
	4,607,638	Crainich	August 26, 1986			
	4,633,861	Chow, et al.	Jan. 6, 1987			
	4,633,874	Chow, et al.	Jan. 6, 1987			
	4,643,190	Heimberger	February 17, 1987			
	4,654,030	Moll et al.	March 31, 1987			
	4,657,017	Sorochenko	April 14, 1987			
	4,664,305	Blake, III et al.	May 12, 1987			
	4,669,471	Hayashi	June 2, 1987			
	4,682,596	Bales, et al.	July 28, 1987			
	4,688,555	Wardle	August 25, 1987			
	4,714,187	Green	December 22, 1987			
	4,715,502	Salmon	December 29, 1987			
	4,728,020	Green, et al.	March 1, 1988			
	4,729,763	Henrie	March 8, 1988			
	4,763,669	Jaeger	August 16, 1988			
	4,767,044	Green	August 30, 1988			
	4,805,823	Rothfuss	February 21, 1989			
	4,819,853	Green	April 11, 1989			
	4,841,888	Mills, et al.	June 27, 1989			
	4,848,637	Pruitt	July 18, 1989			
	4,858,608	McQuilkin	August 22, 1989			
	4,863,088	Redmond, et al.	September 5, 1989			
	4,887,612	Esser, et al.	December 19, 1989			
	4,902,280	Lander	February 20, 1990			

EXAM. INITIAL	PATENT/ PUBLICATION NUMBER	NAME	PATENT/ PUBLICATION DATE	CLASS	SUBCLASS	FILING DATE
	4,919,152	Ger	April 24, 1990			
	4,932,960	Green et al.	June 12, 1990			
	4,940,468	Petillo	July 10, 1990			
	4,941,623	Pruitt	July 17, 1990			
	4,943,277	Bolling	July 24, 1990			
	4,944,093	Falk	July 31, 1990			
	4,944,443	Oddsens, et al.	July 31, 1990			
	4,955,959	Tompkins, et al.	September 11, 1990			
	4,977,900	Fehling, et al.	December 18, 1990			
	4,978,049	Green	December 18, 1990			
	4,991,764	Mericle	February 12, 1991			
	5,018,657	Pedlick, et al.	May 28, 1991			
	5,030,206	Lander	July 9, 1991			
	5,031,814	Tompkins, et al.	July 16, 1991			
	5,037,379	Clayman, et al.	August 6, 1991			
	5,047,026	Rydell	September 10, 1991			
	5,071,430	de Salis, et al.	December 10, 1991			
	5,084,045	Helenowski	January 28, 1992			
	5,108,391	Flachenecker, et al.	April 28, 1992			
	5,119,983	Green et al.	June 9, 1992			
	5,133,360	Spears	July 28, 1992			
	5,143,082	Kindberg et al.	September 1, 1992			
	5,156,315	Rose	October 27, 1992			
	5,157,837	Green	October 20, 1992			
	5,158,222	Green	October 27, 1992			
	5,170,925	Madden, et al.	December 15, 1992			
	5,173,133	Morin, et al.	December 22, 1992			
	5,176,687	Hasson, et al.	January 5, 1993			
	5,186,714	Boudreault, et al.	February 16, 1993			
	5,190,542	Nakao, et al.	March 2, 1993			
	5,197,968	Clement	March 30, 1993			
	5,207,684	Nobles	May 4, 1993			
	5,215,521	Cochran, et al.	June 1, 1993			
	5,217,030	Yoon	June 8, 1993			
	5,217,460	Knoepfler	June 8, 1993			
	5,221,281	Kliceck	June 22, 1993			
	5,234,439	Wilk, et al.	August 10, 1993			
	5,253,793	Green	October 19, 1993			
	5,254,117	Rigby, et al.	October 19, 1993			

EXAM. INITIAL	PATENT/ PUBLICATION NUMBER	NAME	PATENT/ PUBLICATION DATE	CLASS	SUBCLASS	FILING DATE
	5,256,149	Banik, et al.	October 26, 1993			
	5,258,004	Bales, et al.	November 2, 1993			
	5,275,609	Pingleton, et al.	January 4, 1994			
	5,290,303	Pingleton, et al.	March 1, 1994			
	5,292,053	Bilotti, et al.	March 8, 1994			
	5,295,990	Levin	March 22, 1994			
	5,300,087	Knoepfler	April 5, 1994			
	5,312,416	Spaeth, et al.	May 17, 1994			
	5,312,434	Crainich	May 17, 1994			
	5,318,221	Green, et al.	June 7, 1994			
	5,320,627	Sorensen, et al.	June 14, 1994			
	5,322,055	Davison, et al.	June 21, 1994			
	5,324,288	Billings, et al.	June 28, 1994			
	5,324,300	Elias, et al.	June 28, 1994			
	5,330,471	Eggers	July 19, 1994			
	5,330,483	Heaven, et al.	July 19, 1994			
	5,336,229	Noda	August 9, 1994			
	5,336,237	Chin, et al.	August 9, 1994			
	5,342,381	Tidemand	August 30, 1994			
	5,346,497	Simon, et al.	September 13, 1994			
	5,352,222	Rydell	October 4, 1994			
	5,352,223	McBrayer, et al.	October 4, 1994			
	5,352,235	Koros, et al.	October 4, 1994			
	5,354,303	Spaeth, et al.	October 11, 1994			
	5,356,408	Rydell	October 18, 1994			
	5,358,496	Ortiz, et al.	October 25, 1994			
	5,364,409	Kuwabara, et al.	November 15, 1994			
	5,366,133	Geiste	November 22, 1994			
	5,366,476	Noda	November 22, 1994			
	5,387,196	Green et al.	February 7, 1995			
	5,391,156	Hildwein, et al.	February 21, 1995			
	5,395,369	McBrayer, et al.	March 7, 1995			
	5,396,900	Slater, et al.	March 14, 1995			
	5,397,046	Savage, et al.	March 14, 1995			
	5,409,487	Jalbert et al.	April 25, 1995			
	5,425,705	Evard, et al.	June 20, 1995			
	5,425,745	Green, et al.	June 20, 1995			
	5,456,684	Schmidt, et al.	October 10, 1995			
	5,464,404	Abela, et al.	November 7, 1995			

EXAM. INITIAL	PATENT/ PUBLICATION NUMBER	NAME	PATENT/ PUBLICATION DATE	CLASS	SUBCLASS	FILING DATE
	5,465,894	Clark, et al.	November 14, 1995			
	5,476,206	Green, et al.	December 19, 1995			
	5,482,054	Slater, et al.	January 9, 1996			
	5,496,317	Goble, et al.	March 5, 1996			
	5,514,134	Rydell, et al.	May 7, 1996			
	5,520,634	Fox, et al.	May 28, 1996			
	5,527,313	Scott, et al.	June 18, 1996			
	5,535,937	Boiarski, et al.	July 16, 1996			
	5,562,677	Hildwein, et al.	October 8, 1996			
	5,569,274	Rapacki, et al.	October 29, 1996			
	5,578,052	Koros, et al.	November 26, 1996			
	5,580,067	Hamblin, et al.	December 3, 1996			
	5,584,848	Yoon	December 17, 1996			
	5,603,443	Clark, et al.	February 18, 1997			
	5,607,094	Clark, et al.	March 4, 1997			
	5,618,303	Marlow, et al.	April 8, 1997			
	5,618,307	Donlon, et al.	April 8, 1997			
	5,626,607	Malecki, et al.	May 6, 1997			
	5,653,692	Masterson, et al.	August 5, 1997			
	5,662,680	Desai	September 2, 1997			
	5,665,100	Yoon	September 9, 1997			
	5,667,526	Levin	September 16, 1997			
	5,688,269	Newton, et al.	November 18, 1997			
	5,713,870	Yoon	February 3, 1998			
	5,732,871	Clark, et al.	March 31, 1998			
	5,735,289	Pfeffer, et al.	April 7, 1998			
	5,735,848	Yates, et al.	April 7, 1998			
	5,735,849	Baden, et al.	April 7, 1998			
	5,735,861	Peifer, et al.	April 7, 1998			
	5,741,285	McBrayer, et al.	April 21, 1998			
	5,807,318	St. Goar, et al.	September 15, 1998			
	5,823,956	Roth, et al.	October 20, 1998			
	5,830,191	Hildwein, et al.	November 3, 1998			
	5,855,590	Malecki, et al.	January 5, 1999			
	5,863,366	Snow	January 26, 1999			
	5,868,779	Ruiz	February 9, 1999			
	5,893,875	O'Connor, et al.	April 13, 1999			
	5,913,842	Boyd, et al.	June 22, 1999			
	5,928,261	Ruiz	July 27, 1999			

EXAM. INITIAL	PATENT/ PUBLICATION NUMBER	NAME	PATENT/ PUBLICATION DATE	CLASS	SUBCLASS	FILING DATE
	6,110,188	Narciso, Jr.	August 29, 2000			
	6,159,196	Ruiz	December 12, 2000			
	6,171,282	Ragsdale	January 9, 2001			
	6,237,605	Vaska et al.	May 29, 2001			
	6,251,093	Valley, et al.	June 26, 2001			
	6,261,273	Ruiz	July 17, 2001			
	6,280,415	Johnson	August 28, 2001			
	6,368,340	Malecki, et al.	April 9, 2002			
	Re. 035352	Peters	October 15, 1996			
	Re. 28932	Noiles et al.	August 17, 1976			
	2001/0031975	Whitman et al.	October 18, 2001			
	2001/0016750	Malecki et al.	August 23, 2001			
	2001/0001812	Valley et al.	May 24, 2001			
	2002/0104400	Hillgaertner et al.	August 8, 2002			
	2001/0010247	Snow, David W.	August 2, 2001			
	2001/0016725	Valley et al.	August 23, 2001			
	2001/0023334	St. Goar et al.	September 20, 2001			
	2001/0044591	Stevens et al.	November 22, 2001			
	2002/0013569	Sterman et al.	January 31, 2002			
	2002/0026094	Roth, Alex T.	February 28, 2002			
	2002/0029783	Stevens et al.	March 14, 2002			
	2002/0068922	Peters, William S.	June 6, 2002			
	2002/0072741	Sliwa et al.	June 13, 2002			
	2002/0087157	Sliwa et al.	July 4, 2002			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	COUNTRY	DATE	SUBCLASS	TRANSLATION	
					YES	NO
					YES	NO
	23 30 182	DE	January 2, 1975		Abs.	
	31 14 135	DE	October 21, 1982		Abs.	
	43 12 147	DE	October 21, 1993		Abs.	
	0 041 022	EP	December 2, 1981			
	0 093 101	EP	November 2, 1983			
	0 293 123	EP	November 30, 1988			
	0 324 166	EP	July 19, 1989			
	0 324 637	EP	July 19, 1989			
	0 365 153	EP	April 25, 1990			

EXAMINER INITIAL	DOCUMENT NUMBER	COUNTRY	DATE	SUBCLASS	TRANSLATION	
					YES	NO
	0 369 324	EP	May 23, 1990		Abs.	
	0 373 762	EP	June 20, 1990			
	0 484 677	EP	July 5, 2000			
	0 552 423	EP	January 7, 1998			
	0 581 400	EP	May 31, 2000			
	0 630 612	EP	December 28, 1994			
	0 639 349	EP	February 22, 1995			
	0 679 367	EP	November 2, 1995			
	1 352 554	GB	May 8, 1974			
	1 452 185	GB	October 13, 1976			
	2 022 421	GB	December 19, 1979			
	2 031 733	GB	April 30, 1980			
	2 048 685	GB	December 17, 1980			
	2 165 559	GB	April 16, 1986			
	659146	RU	April 30, 1979		Abs.	
	WO 90/06085	PCT	June 14, 1990			
	WO 96/23536	PCT	August 8, 1996			

OTHER DOCUMENTS

EXAMINER INITIAL		Name	Publication date	Name

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	